



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission:

Application Number 10/017,640

Filing Date December 14, 2001

First Named Inventor William R. Matz

Art Unit 3629

Examiner Name Ouellette, J.

Attorney Docket Number BS01342

ENCLOSURES

(Check all that apply)

☒ Fee Transmittal Form

☒ Fee Attached

☐ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☒ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s)

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):
See Remarks

Remarks: (1) Petition to Revive Unintentionally Abandoned Application Under 37 C.F.R. § 1.137 (f)
(2) USPTO Form PTO/SB/64a (3) Credit Card Payment Form

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Name (Print/Type)

Bambi Faivre Walters

Reg. No.:

45,197

Signature

Bambi Faivre Walters

Date

10/8/04

CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Name (Print/Type)

Sheri Bukowski

Date

October 8, 2004

Signature

Sheri Bukowski

FEE TRANSMITTAL for FY 2003

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

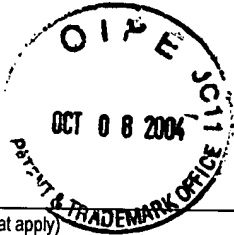
\$1,370.00

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account

Deposit
Account
No.

Deposit
Account
Name



The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1):

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims - 20** = X 18.00 =
Independent Claims - 3** = X 86.00 =
Multiple Dependent =

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	

**or number previously paid, if greater; For Reissues, see above

SUBTOTAL (2):

SUBMITTED BY:

Name (Print/Type)

Bambi Falvre Walters

Registration No. (Attorney/Agent)

45,197

Complete (if applicable)

Telephone:

(757) 253-5729

Signature

Bambi Falvre Walters

Date

October 8, 2004

Complete If Known

Application Number 10/017,640

Filing Date December 14, 2001

First Named Inventor William R. Matz

Examiner Name Jonathan P. Ouellette

Art Unit 3629

Attorney Docket No. BS01342

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	1,370.00
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fees under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Info Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3): \$1,370.00



10-12-04

DAC
EFW

PTO/SB/64a (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN
OR INTERNATIONAL FILING (37 CFR 1.137(f))**

Docket Number (Optional)

BS01342

First named inventor: William R. Matz

Application No.: 10/017,640

Art Unit: 3629

Filed: December 14, 2001

Examiner: J. Ouellette

Title: System and Method for Identifying Desirable Subscribers

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

**PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION
UNDER 37 CFR 1.137(b)****1. Petition fee**☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1,370.00 (37 CFR 1.17(m))**2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))**

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after the filing. The filing date of the subsequently filed foreign or international application is December 10, 2002.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

10/13/2004 HALI11 00000008 10017640

01 FC:1453

1370.00 0P

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STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

October 8, 2004

Date

Bambi Faivre Walters

Typed or printed name

45,197

Registration Number, if applicable

P.O. Box 5743

Address

757-253-5729

Telephone Number

Williamsburg, VA 23188

Address

Enclosures: ☒ Fee Payment☐ Additional sheets containing statements establishing unintentional delay☒ Other: (1) Transmittal of Petition (2) Request for Petition Under 37 CFR 1.137 (f)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

10/8/04

Date



Signature

Sheri L. Bukowski

Typed or printed name of person signing certificate

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Office of Petitions, Mail Stop Petitions, COMMISSIONER FOR PATENTS, PO Box 1450, Alexandria, VA 22313-1450 on

Oct -8, 2004

Sheri Bukowski
Sheri Bukowski

10/8/04
Date of Signature



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: William R. Matz

Group Art Unit: 3629

Application No.: 10/017,640

Examiner: Jonathan P. Ouellette

Filed: December 14, 2001

Title: "System and Method for Identifying Desirable Subscribers"

VIA USPS EXPRESS MAIL

Office of Petitions
Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR PETITION TO REVIVE UNINTENTIONALLY ABANDONED
APPLICATION UNDER 37 C.F.R. § 1.137(f)**

Dear Sir:

Pursuant to 37 C.F.R. § 1.137(f), Assignee hereby petitions the Commissioner to
revive the above-identified patent application.

This petition is accompanied by:

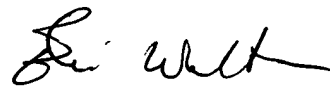
- (1) The required reply, which is met by the notification of such filing in a foreign country or under a multinational treaty;
- (2) The petition fess as set forth in 37 CFR 1.17(m) in the amount of \$1,370.00; and
- (3) The statement required under 37 C.F.R. § 1.137(f) that the entire delay in filing the required reply (i.e., Notification of Foreign or International Filing) from the due date of the reply until the filing of a grantable petition pursuant was unintentional. See attached form Form PTO/SB.64a.

CONCLUSION

Assignee submits that all of the requirements of 37 C.F.R. § 1.137(f) to revive this unintentionally abandoned application have been complied with and, thus, respectfully requests the Commissioner to grant this petition.

Please feel free to contact the undersigned with any questions or comments at 757.253.5729 or at bambiwalters@cox.net.

Respectfully submitted,



Bambi Walters
Attorney for Assignee
Registration No. 45,197
P. O. Box 5743
Williamsburg, VA 23188
Telephone: 757.253.5729
Facsimile: 757.253.5729

Dated: 10/8/04